

Cover by Ray Houlihan

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The 30/06, broken down, fitted diagonally into the suitcase. I put a handful of cartridges in my coat pocket . . .



Degree of Guilt

BY JACK RITCHIE

JIM STAUFFER sat on the hardwood bench, and his right wrist was handcuffed to the radiator. He didn't look up at me.

"It's a mistake," he said tightly. "I swear I didn't do it."

Sergeant Morris had one foot on a straight-backed chair. He took the cigar out of his mouth and looked despicably at Jim. "You're going to have trouble persuading us."

I watched Jim for a few moments and then I turned to Morris. "I'd like to see my daughter now if it's all right," I said.

He took his foot off the chair, and I followed him into the next room.

Millie was sitting on a leather davenport with her hands folded on her lap. A lean man with quiet brown eyes was at the desk smok-

ing a cigarette, observing her.

Millie looked up at me with dark eyes. "The doctor examined me," she said.

I put my hand on her head and smoothed her hair gently. "I know," I said.

The man at the desk got up, and Sergeant Morris said, "This is Dr. Kaplan."

Dr Kaplan glanced at the notes on his desk. "She says she's thirteen."

"That's right," I said. "Thirteen."

Millie's eyes moved to Sergeant Morris. "Mr. Stauffer and Daddy have been friends all their lives. They go fishing together, and I didn't think he would do anything like that."

Dr. Kaplan rubbed one of his eyebrows. "I haven't given her anything. I didn't think a sedative was necessary."

"I just went to get your tackle-box, Daddy," Millie said. "You said you left it at his house, and I thought you'd want it."

Her eyes went to the floor. "When Mr. Stauffer let me go, I ran next door to Mrs. Hendricks and she called the police."

I went to the window and looked out. Two hundred yards of green lawn separated the rear of the police station from the next building, a large brick warehouse.

"What are you going to do about it?" I asked.

"I don't know how it will end,"

Morris said. "The maximum is life, but some get as little as five years."

I turned around. "And eligible for parole in three?"

Morris shrugged his shoulders. "Maybe I agree with you that it isn't enough, but I don't make the laws."

Dr. Kaplan leaned against his desk and stared thoughtfully at a picture on the wall.

Morris unwrapped a fresh cigar. "He could have killed her," he said. "They do that when they know they can be identified."

"Sometimes," Dr. Kaplan said quietly. He smiled slightly to himself. "And then some of them aren't killers." His eyes came to me. "Is your wife here?"

"No," I said, "She died ten years ago."

Millie's eyes were watching me.

I walked over to her. "It's all right, honey. Everything will be all right."

I turned to Sergeant Morris. "I'd like to have one more look at Jim."

He exchanged glances with Dr. Kaplan, and then Kaplan came with us.

Jim had a cigarette in his left hand and he looked up momentarily as I entered the room.

I walked toward him, but one of the officers stepped in front of me.

"Easy now, Mr. Holman," he said quietly.

I stared past him for a few more seconds and then I moved back.

Dr. Kaplan said, "The maximum is life, but some get as little as five years." I turned around. "And eligible for parole in three?" Morris shrugged his shoulders. "Maybe I agree with you that it isn't enough, but I don't make the laws." Dr. Kaplan leaned against his desk and stared thoughtfully at a picture on the wall. Morris unwrapped a fresh cigar. "He could have killed her," he said. "They do that when they know they can be identified."

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Dr. Kaplan spoke. "Mr. Stauffer," he said. "We have a polygraph, a lie detector. However, it's your right to refuse to take the test."

Stauffer licked his lips. "I refuse," he said. "I'm not going to take it."

My eyes went to the holster of one of the uniformed patrolmen. Dr. Kaplan was watching me and he shook his head slowly from side to side.

I met his eyes. "Do you know how I feel?"

He smiled slightly. "No," he said. "I really don't."

The door opened and a plainclothes' man came in. "Stauffer's lawyer is here," he said.

I walked out of the room and went back to Millie. "Come on, honey," I said. "We're going now."

She looked up. "Are we going home?"

"No," I said. "We're going to a hotel for awhile."

I registered at the Marshall Arms as Mr. James West and daughter, and we went upstairs to our room.

"Are you hungry, honey?" I asked.

She stood in the center of the room and looked at the vanity table. "Yes," she said.

I ordered a meal brought up, and when Millie was finished, I said, "Will you be all right for a little while, honey? I've got to go back home and get a few of our things."

She fingered the gleaming silver coffee urn. "I'll be fine, Daddy."

A dark blue sedan was parked in front of my house and I pulled up behind it.

Dr. Kaplan was on my porch swing smoking a cigarette. He stopped his dreaming and looked at me. "Your daughter isn't with you?"

"No," I said. "We're staying at a hotel."

He nodded. "There were reporters here when I came, and they'll be back."

I sat down next to him. "Well?" I asked.

He crossed his legs and looked out at the approaching dusk. "Stauffer talked to his lawyer after you left. They've decided to enter a guilty plea."

I watched his face for awhile. "You don't think he's guilty?" I asked.

He dropped the cigarette to the porch floor and ground it out with his toe. "I don't think he's innocent." He got to his feet and looked down at me. "Stauffer and his lawyer will probably try to get it changed to knowledge and abuse, you understand."

I waited. In the shadows his teeth were white in a thin humorless smile. He seemed to be listening to the quietness of the deserted street.

Then he said, "That's not rape."

I looked at my hand. "Why did you come here?" I asked.

He thought a moment. "A matter of duty," he said. "And perhaps

curiosity. I wanted to know what your thoughts are."

I remained quiet.

His eyes went to his watch. "I'm having Stauffer brought to my office this evening. I'll know a little more when I'm through with him." He tapped a fresh cigarette out of his pack and lit it. He exhaled smoke. "Who does she take after? Her mother?"

I looked at him and was silent.

He went halfway down the steps and then turned. "I'll have to testify," he said, and there was a sadness in his smile. "I'm a doctor, you know." He hesitated another moment. "By the way, Mr. Holman. How did your wife die?"

I listened to the sound of a cricket on a neighbor's lawn. "A hunting accident," I said. "I shot her."

When he was gone, I unlocked the front door and went inside. I found a suitcase and went through Millie's things, packing what I thought she might need in the next few days.

I put her cotton pajamas into the suitcase and went to the closet. A patch of red between two folded blankets on a shelf caught my eye. I fingered the red dress for a moment, before I put it into the suitcase.

Then I sat down on her bed and smoked a slow cigarette. When I was through, I went to the dresser. I touched the brush and comb on top of it; then I opened one of the

drawers. I took out a pair of antique pearl earrings and a lipstick and put them in my pocket.

I took the suitcase to the gun cabinet in my workshop. The 30/06, broken down, fitted diagonally in the suitcase. I put a handful of cartridges in my coat pocket.

I drove my car downtown and parked in the dark alley next to the furniture warehouse. By the illumination of the dashboard lights, I fitted the rifle together. Then I got out of the car and pulled down the fire escape on the side of the building and climbed to the second floor.

I slipped a cartridge into the chamber of the rifle and, using my 6X scope as a binocular, I searched the lighted windows of the big building across the lawn until I found Dr. Kaplan's office.

He was at his desk, a cigarette in an ashtray next to him drifting smoke, and Jim Stauffer was in a chair facing him. A uniformed officer sat on the davenport, one leg crossed over the other.

I steadied the forearm of my rifle on the fire escape railing. The cross-hairs of the scope lingered for a moment on Dr. Kaplan and then moved on to Jim.

Jim was leaning forward and talking, when I squeezed the trigger. I held the scope on the window just long enough to make sure I had done the job right. Then I went down the fire escape.

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down the rifle and put it back in the suitcase. When I started my car and drove down the alley, the back doors of the police station were still closed.

At the Marshall Arms Hotel, I parked my car and took the suitcase with me up to our room.

Millie was in front of the vanity combing her hair.

She looked at me and smiled. "I phoned downstairs and had them send up a comb and brush. I thought you'd forget. I bought a nightgown, too, Daddy. It's lovely, A beautiful azure."

I put the suitcase on the floor.

She examined herself critically in the mirror. "Will my name be in the newspapers, Daddy?"

"No," I said. "They're not allowed to print it."

She ran the comb through her long hair slowly and smiled.

I sat down in a chair and closed my eyes.

"That's the worst crime in the world, isn't it, Daddy?" she asked.

"Some people think it is," I said.

She was silent for a few moments and then she said, "That's what I thought."

I opened my eyes, and she was still at the mirror. I reached into my coat pocket and took out the lipstick. I walked over and put it on the vanity.

She looked at it and then at me. "Lots of girls my age use lipstick." She smiled at me. "Of course it's all right, Daddy."

I went back to the chair and sat down.

"Mr. Stauffer is sorry now, I'll bet," she said. "And he'll stay in jail for life, or maybe they'll hang him." She turned and looked at me. "Even a lawyer won't get him off, will he, Daddy?"

"A lawyer won't help him," I said.

She smiled. "I'm glad. Because Mr. Stauffer has lots of money and maybe he could hire a real smart lawyer. He showed me his bank book once." Her eyes went back to her reflection and she studied it. "He's tight," she said. "A tight skinflint."

I sat quietly and waited.

After awhile, she said, "I don't look like I'm thirteen, do I, Daddy?"

"No," I said.

She turned again. "Do I look much like mother?"

"Yes," I said. "You're just like she was."

Millie was silent, thinking, and then she got up and came over to sit on the arm of my chair.

"Mr. Stauffer is desperate, isn't he, Daddy?"

I didn't say anything.

"What I mean is that he'll say all kinds of nasty things because he's desperate. But everybody will believe me, won't they, Daddy?"

"Most of them," I said.

She brushed my hair absently. Her eyes were gleaming as she stared into the distance, and there

was a small smile on her face. Her lips moved and the words were soft and low. "The dirty, tight bastard. He'll be sorry now." And then she stretched, slowly and luxuriously. "I'm going to bed now, Daddy."

She went to the bathroom and when she came back she was wearing a filmy negligee. She pulled back the covers of one of the twin beds and got inside.

"Good night, Daddy," she said.

I looked down at her. Her face was freshly washed and her light hair was bound in a blue ribbon.

"Good night, honey," I said.

"Good night, my little girl."

I leaned over and kissed her.

I went back to my chair and sat there, quietly smoking a cigarette until I heard her breathing deeply and evenly. Her face was relaxed, and she smiled as she slept.

I went to the suitcase and opened it. I pushed aside the red dress my money hadn't bought and picked up the rifle and put it together, methodically.

My hand went into my pocket and touched the pearl earrings that Jim had once shown me. They had been in his family for generations, and he always kept them in his wall safe.

I put two cartridges in the magazine of the rifle. Soon my daughter would be sleeping for good.



In Holland, Mich. an unmarked state police cruiser gave chase to a speeder. A few minutes later an unmarked sheriff's car started in pursuit of the unmarked cruiser. Then a plainly marked city police car set out after the two unmarked cars.

The sheriff's car halted the state police car. While the state trooper was explaining the situation to the sheriff's deputy, the city police arrived on the scene. Then the trooper and deputy made explanations to the city officer.

The speeder, who started the four car chase, got away.

Henry Davis Jr., 64, Detroit, was sentenced in city court to 10 days in jail for stopping for a red light. He told an officer who noticed his car stationary at an intersection that he was waiting for a traffic light to change. The charge against Davis was driving while under the influence of intoxicants. There is no traffic light at the intersection at which Davis had stopped.

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